Notice of Allowability	Application No.	Applicant(s)	
	10/509,746	QUETEL ET AL.	
	Examiner	Art Unit	
	SHANTA G. DOE	1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the response filed on 8/26/2010* .

2. ☒ The allowed claim(s) is/are *1,3-5 and 8*.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☒ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Response to Amendment

1. The amendment filed on 8/26/2010 has been acknowledged and entered by the examiner.

Allowable Subject Matter

2. Claims 1, 3-5 and 8 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Regarding claim 1 and its dependent claim(s), the prior art fails to disclose a method of decontaminating necks of thermoplastic preforms before said performs are blow molded comprising providing a pair of rails forming a path, the pair of rails configured to engage said perform such that the perform necks ride above the pair of rails while bodies of the preforms ride below the rail wherein the pair of rails is disposed between the spraying means and the bodies of the preforms; passing the preforms one after another through an upstream chamber inside which the preform necks move along the path, spraying continuously a decontaminating liquid inside said chamber towards said path in such a manner that a for atmosphere of said decontaminating liquid is maintained inside said chamber with said necks being bathed in said fog and with said preform necks having inside and outside surface wetted by said liquid.

Regarding claim 4 and it dependent claim(s), the prior art fails to disclose an installation wherein the preform feeder includes a rod having a relatively small transverse dimension relative to the diameter of the necks, which extends along and above the path so as to prevent the preform form being lifted.

The closely related prior art to the applicant claimed invention are Marchau et al (WO 99/03667) Swank et al (US 6,183,691), and Doudement et al (US 5,186,307).

Marchau et al (WO 99/03667) discloses an installation (system) for the decontamination while they are moving of the necks of preforms (3) delivered one after the other to a loading device (see fig 1), said preforms being made of thermoplastic and being intended for making into containers (e.g. bottle (110)) by blow molding or stretch-blow molding, said decontamination installation being structurally and functionally connected to a preform feeder installation (2) comprising means for moving the preforms one after the other along a path wherein the feeder is configured to engage said preform such that said perform neck ride above the rail of the feeder while the body of the preform ride below the rail and where the rails of the feeder is disposed between the spray and the bodies of the preform(see fig 1); the decontamination installation contains a means of spraying (sprayer 45) the preform with hydrogen peroxide and lamps (104) to decontaminate said preform (see Marchau (WO 99/03667 fig 1 page 3

paragraph 5; page 5 paragraph 2; page 6 paragraph 8; page 7 paragraph 1-4; page 11 paragraph 2).

However, Marchau does not disclose amongst other things that the preform feeder includes a rod having a relatively small transverse dimension relative to the diameter of the necks, which extends along and above the path so as to prevent the preform form being lifted

Swank ('691) discloses a decontaminating/sterilizing system (installation) for partially formed material (20), wherein, as the partially formed material are fed one after the other into a container manufacturing unit, the partially formed materials pass first through an upstream chamber (sterilization chamber (28)) into which hydrogen peroxide is sprayed (liquid hydrogen peroxide is vaporized at 175 degrees in the presence of air/air is saturated with hydrogen per oxide vapor the mixture exits the spray nozzle at 80 - 90 degrees and it is know that air saturated with H_20_2 vapor forms condensation droplet of H_20_2 in air(mist or fog) when temperature decreases) continuously towards necks of said preforms so as to maintain in this chamber a fog atmosphere of said decontaminating product with which the necks of the preforms are brought into contact, and then passes wetted necks in front of ultraviolet lamps arranged so as to completely irradiate the necks of the partially formed materials wetted by the decontaminating product for at least a minimum predetermined period of time, before reaching a device that loads them into the manufacturing unit (see Swank ('691) abs; fig. 2; col. 4 lines 40 - 65; col. 5 lines 30-40 and col. 6 lines 47 - 63).

Doudement et al (US 5,186,307) discloses that a preform feeder comprising a pair of rails forming a narrow opening (the space between the rail where the preform are held, see Doudement fig 3) configured to engage said preform such that said preform necks ride above the rail of the feeder rail while the bodies of the preforms ride below the rail (see abs and fig 3).

Neither Doudement nor Swank corrects the above mentioned deficiency of the Marchau reference.

The prior arts alone or in combination fail to disclose the installation / method of decontamination as is disclosed by the applicant's claims or claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHANTA G. DOE whose telephone number is (571)270-3152. The examiner can normally be reached on Mon-Fri 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Griffin can be reached on 571-272-1447. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Walter D. Griffin/
Supervisory Patent Examiner, Art Unit 1797